PATTERSON &
SHERIDAN, LLP
_____ ATTORNEYS AT LAW

RECEIVED CENTRAL FAX CENTER

JAN 1 9 2006

3040 Post Oak Blvd, Suite 1500 Houston, TX 77056-6582 TEL 713.623.4844 FAX 713.623.4846

FACSIMILE COVER SHEET

DATE:

January 19, 2006

FILE NO:

ROC920010193US2 (IBMK10194)

TO:

MAIL STOP AMENDMENT Examiner Joseph E. Avellino

FAX NO:

571-273-8300

FROM:

Gero G. McClellan / Jon K. Stewart

PAGE(S) with cover:

14

RE:

TITLE:

Method for Determining on Demand Right Size Buffering Within a

Socket Server Implementation

U.S. SERIAL NO.:

10/038.008

FILING DATE:

01/04/2002

INVENTOR(S):

Bauman et al.

EXAMINER:

Joseph E. Aveilino

GROUP ART UNIT:

2143

CONFIRMATION NO.:

6602

Attached is the following document for the above-referenced application:

RESPONSE TO OFFICE ACTION DATED OCTOBER 19, 2005

CONFIDENTIALITY NOTE

The document accompanying this facsimile transmission contains information from the law firm of Patterson & Sheridan, L.L.P. which is confidential or privileged. The information is intended to be for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this faxed information is prohibited. If you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the retrieval of the original documents at no cost to you.

RECEIVED CENTRAL FAX CENTER

JAN 1 9 2006

PATENT App. Ser. No.: 10/038,008

Atty. Dkt. No. ROC920010193US2 PS Ref. No.: IBMK10194

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

๛๛๛๛๛๛๛๛

In re Application of:

Mark Linus Bauman et al.

Serial No.: 10/038,008

Confirmation No.: 6602

Filed: January 4, 2002

For: METHOD FOR DETERMINING

ON DEMAND RIGHT SIZE

BUFFERING WITHIN A SOCKET SERVER IMPLEMENTATION Group Art Unit: 2143

Examiner:

Joseph E. Avellino

MAIL STOP AMENDMENT Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mall in an envelope addressed to: Mall Stop Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office to fax number 571-273-8300 to the attention of Examiner Joseph E. Aveilino, on the date Alrown below:

on K. Stewart

January 19, 2006

Date

RESPONSE TO OFFICE ACTION DATED OCTOBER 19, 2005

In response to the Office Action dated October 19, 2005, having a shortened statutory period for response set to expire on January 19, 2006, please enter this response and reconsider the claims pending in the application for reasons discussed below. While no fees are believed due, the Commissioner is hereby authorized to charge counsel's Deposit Account No. 09-0465 / ROC920010193US2 for any fees, including extension of time fees or excess claim fees, required to make this response timely and acceptable to the Office.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper. Remarks/arguments begin on page 8 of this paper.

Page 1